

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

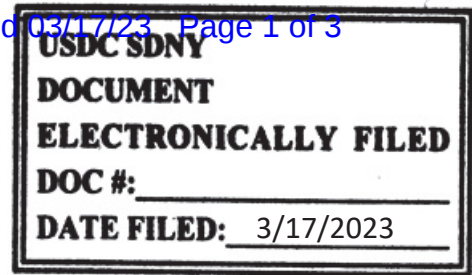
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TAVARES HOBBS, RICARDO BELL, and  
ROBERT SHAW, on behalf of themselves and all  
others similarly situated,

Plaintiffs,

-against-

KNIGHT-SWIFT TRANSPORTATION  
HOLDINGS, INC., and SWIFT  
TRANSPORTATION CO. OF ARIZONA, LLC

Defendants.  
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Case No. 21-CV-01421 (JLR) (SDA)

**JOINT STIPULATION AND**  
**PROPOSED ORDER REGARDING**  
**SCHEDULE FOR MANAGER**  
**DEPOSITIONS**

**WHEREAS**, on October 11, 2022, the Court issued an order approving the Parties’ proposed schedule regarding, *inter alia*, conducting depositions of Defendants’ Terminal Leaders and Driver Leaders (ECF 72);

**WHEREAS**, the Court’s October 11 Order provides that depositions of Defendants’ Terminal Leaders and Driver leaders must be completed “within 75 days of the Court’s issuance of an Order resolving the Parties’ cross motions regarding class certification.” (ECF 72);

**WHEREAS**, on February 9, 2023, Magistrate Judge Aaron issued a Report and Recommendation as to the Parties’ cross motions regarding class certification (ECF 93);

**WHEREAS**, Plaintiffs and Defendants have each filed objections to the Report and Recommendation (ECF 96-99);

**WHEREAS**, the Court has not yet issued an Order regarding Magistrate Judge Aaron’s Report and Recommendation or resolving the Parties’ cross motions regarding class certification;

**WHEREAS**, the Parties have a mutual understanding that their proposed schedule for conducting depositions of Defendants’ Terminal Leaders and Driver Leaders and the Court’s Order approving the same requires that such depositions be completed within 75 days of District

Judge Rochon's issuance of an Order resolving the cross motions regarding class certification, as opposed to within 75 days of Magistrate Judge Aaron's Report and Recommendation;

**WHEREAS**, to the extent there is any ambiguity regarding the Order setting the schedule for depositions of Defendants' Terminal Leaders and Driver Leaders (ECF 72), the Parties agree that the 75-day period to conduct such depositions is triggered by District Judge Rochon's issuance of an Order resolving the cross motions regarding class certification.

**IT IS HEREBY STIPULATED AND AGREED**, by and between Plaintiffs and Defendants, that, subject to the approval of the Court, depositions of Defendants' Terminal Leaders and Driver Leaders must be completed within 75 days of District Judge Rochon's issuance of an Order resolving the cross motions regarding class certification.<sup>1</sup>

Dated: New York, New York  
March 16, 2023

*for Plaintiffs*

/s/ Nathan Piller  
Nathan Piller  
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*for Defendants*

/s/ Brian Murphy  
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<sup>1</sup> Nothing in this Stipulation shall serve as a waiver of any right or basis for Defendants to object to any deposition, seek a protective order in accordance with Fed. R. Civ. P. 26(c), or otherwise seek relief from the Court related to such depositions.

**~~PROPOSED~~ ORDER**

Having considered the Parties' Stipulation, and good cause appearing, the Court  
HEREBY issues the following ORDER:

Depositions of Defendants' Terminal Leaders and Driver Leaders must be completed  
within 75 days of District Judge Rochon's issuance of an Order resolving the cross motions  
regarding class certification.

DATE: March 17, 2023



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HON. STEWART D. AARON  
United States Magistrate Judge